acceptable competitive LSP environment without jeopardizing customer service or risking the public-switched network reliability.

From a "scope" perspective, this group will focus on Texas implementation issues including process flows; however, operations issues will continue to be referred to the Operations Team.

Company Project Plan:
Following the morning break, Stan began discussion on the timeline. A Microsoft Project Timeline was passed out to the group and Stan covered the basics of how to establish durations and dependencies for the timeline.

Discussion followed on NXX code openings required for the initial implementation:

Stan noted that an entry needs to be added on the Project Plan for the identification of offices targeted by the CLECs. Companies will be asked to respond to a PUC request for a list of offices they wish to have equipped for portability. Responses are due back to the Texas PUC by May 30, 1997. A subsequent list of targeted NXXs will be requested for entry into LERG. Ed Gonzales proposed an item to cover the compilation and submission of the list of NPA/NXXs to be ported.

SWBT (Don Dabney) requested the Houston MSA Targeted NXXs (ILECS and CLECs) be identified by 9-15-97. SWBT also needs the LRNs for all switches in the MSA. Karen noted that Time Warner does not have a problem with providing an early response on the basis that a preliminary targeted NXX list may not be as accurate as a list which would be provided at a later date - a preliminary list might need to be augmented prior to 3-31-98 or the list may include some NXXs not needed at the initial implementation date. A second date, such as 12-15-97, would give the LSPs the opportunity to augment their preliminary list prior to testing. Dabney explained that each ILEC and CLEC would send their list of targeted NXXs to the LERG coordinator of the switch owner by 9-15-97. Each LERG coordinator will then have (45 days) to input this list into LERG. The LERG coordinator will also assign the LRNs per switch. The LRN assignment and which NXXs are targeted for porting should appear in the LERG by the fifth working day of November, 1997. SWB will indicate in LERG the effective porting date of 3/31/98.

Some of the LECs were not familiar with the Code Opening Process for subsequent Code Openings. Karen Kay noted that code opening processes will be handled in the Operations Team; once the processes have been established in that forum, then timeline issues regarding code openings could be better addressed.

Suzanne Brooks (MCI) noted the Implementation Project Tasks/Plan will be revisited as folks take the proposed Plan back to their areas and discuss the pertinent items.

After much discussion, the generic Plan was modified. The changes through original line #51 are reflected in Attachment 1. (The discussion was tabled in the interest of time).

Houston MSA Project Plan:
Don discussed the master list of the switches which are going to be targeted for LNP. The spreadsheet will be used by this forum to track the implementation. The spreadsheet will include:

CLLI
Name of the Company Owning the Switch
Test Office (yes or no)
Ready to Test Date
10 Digit Active (yes or no)
911 Tandem Serving Office
PSAP Serving Office
Ready to Port Date (Planned or Actual)

The Texas LNP Implementation Project Plan was then discussed and modified as shown on Attachment 2. The Master List of End Offices would be maintained on the EXCEL spreadsheet.

While Don took a break, John Shea (Lockheed) presented an overview of Lockheed/Martin's status:

Lockheed:
The Chicago RSMS will serve the Southwest Region. Chicago will also serve the MidWest Region. (Other regions are NorthEast and mid-Atlantic). A duplicate center (for disaster recovery purposes) is located in Tarrytown, New York. Most carriers are choosing to interconnect in Chicago. DSET is the vendor for the SOA/LSMS.

Testing:

Acceptance testing - 80% complete
Interoperability testing - verifies IIS (Interconnection Interoperability Specs) (20 days)
NPAC/SMS turn-up test* - verifies FRS (Functional Requirements Spec) (7 weeks)
* - involves the LSPs

The Plan was discussed and revised through the Testing paragraph.

Friday, May 2, 1997

Test Team:
Stan started the morning discussion with the need for establishment of the Test Team. The need for a Inter Company Test Team Coordinator was discussed. Dick Dowd performs a similar function for MCI and was proposed as a possible Test Team Coordinator. Suzanne Brooks will contact Dick about his possible involvement. Stan established a conference call to establish the individual LSP players, outline their functions, and set an initial meeting date for the Test Team:

Test Team
Friday - May 9, 1997
8:00 - 9:00 a.m. CDT

Each LSP would have 1-2 representatives on the team. It was noted that the current view of the critical time for Houston is between 1/15/98 and 3/31/98.

Follow-up Implementation Team:
A follow-up conference call for the Implementation Team was established for Friday, May 16, 1997. The revised Houston MSA Plan would then be reviewed. Stan would also make the updated copy of the Generic Company Plan available for any interested companies:

Implementation Team
Friday - May16, 1997
8:30 - 10:00 a.m. CDT

Next Meeting:
Stan will make arrangements for the next meeting. The costs for the next meeting will be allocated among the participants (i.e., conference costs will be included in the room charge):

Implementation Team Meeting
Houston, Texas
June 10 & 11, 1997

(The next Operations Team meeting will be June 26 & 27)

911:
Concerns regarding 911 were presented by Ross Sherohman who is the administrative representative for 9 counties surrounding Houston.

Concerns Included:

1. Methods need to be in place for a statewide or national database which would include information (i.e., address, phone numbers) so that in an emergency the PSAP operator can make one call to get all the information required.
   (NENA Standards with 4 alpha character designation of each LSP).
2. 911 requires special trunking with multiple NPAs. Will LNP require any additional trunking?
3. 911 wants to be tested FIRST! 911 needs to know the impacts from LNP up front.

Mike Rydman expressed concerns that when a customer ports within a rate center, they may actually port to a different 911 tandem. He has checked SWBT rate centers and this should not occur. He is in the process of checking other independent territory based upon a map from his 911 coordinator. He will share his findings with the Implementation Team. For Houston, GTE and SWBT are the only 2 selective routing providers for 911. GTE may want to check 1525 for their rate center boundaries and the areas they serve.

Three things are required for a 911 call to complete:

1. Route to the proper 911 tandem
2. Route via proper trunk group
3. Different trunk groups for different NPAs.

A trunk group can have only 1 default routing and if a customer is sent to a wrong tandem or over the wrong trunk group, then the information (i.e., address) will be passed to the PSAP - this is Ross's major concern.

Karen suggested that a Houston MSA 911 presentation be made to the Implementation Team by SWBT and GTE. This could be put on the next meeting's agenda. This presentation would include an overview of the Houston MSA and the NENA standards - which have not been agreed to for Houston.

SWB Region MSAs - SWBT Test Plan Timeline:
Don then reviewed the (Draft 4/17/97) SWBT Test Plan Assumptions and Timelines for the SW Region MSAs. Key Inter Company dates are as follows for each MSA:

MSA	Begin Inter Company Testing	Live Commercial Ready to Port Date
Houston	2/2/98	3/31/98
Dallas, St. Louis	3/16/98	5/15/98
Ft. Worth, Kansas City	5/4/98	6/30/98
San Antonio, Austin Memphis, Okla. City	7/31/98	9/30/98
El Paso, Tulsa Little Rock, Wichita	10/19/98	12/31/98

Houston Rate Centers:
Mike Rydman distributed a listing of the Houston rate centers. The industry policy on porting within a rate center was briefly discussed. Mike gave an example where numbers will not be available for porting (i.e., an Aldine rate center number cannot be ported to a location in the Airline rate center).

Katy emphasized that rate centers and calling scopes are not the same thing.

Suzanne noted that they may be required to assign NXX 100-groups to specific rate centers.

Follow-up Items for the Next Meeting:

- Code Opening Process
- LRN Assignment Guidelines
- 911 Assessment
- NENA Standards

IMPLEMENTATION TEAM MEETING
HOUSTON, TEXAS
MAY 1 & 2, 1997

Name	Company	Address	Phone	Fax
Don Dabney	SWBT	One Bell Center 40-W-03 St. Louis, MO 63101	314-235-1419	314-235-4991
Mike Rydman	SWBT - Houston	6500 West Loop South Zone 5.3 Houston, TX 77401	713-567-2074	713-567-7240
Bobbie Barnes	SWBT	One Bell Center 40-W-07 St. Louis, MO 63101	314-235-4991	314-235-4991
Pamela Rak	SWBT - St. Louis	115 W. Adams Kirkwood, MO 63122	314-957-1604	314-957-6871
Leo Marcotte	Stratus	14785 Preston #680 Dallas, TX 75240	972-383-3136	972-458-2149
R. Lois Bessee	GTE	1702 Hampton Rd. Texarkana, TX 75503	903-798-4642	903-798-4402
Jack Smith	Sprint	600 New Century Parkway New Century, KS 66031	913-791-4657	913-791-4605
Harvey Wright	Sprint	600 New Century Parkway New Century, KS 66031	913-7914562	913-791-4605
Bill Hazlett	Ft. Bend Tel Co	P.O. Box 1127 Rosenberg, TX 77471	713-726-9800	713-726-9813
Glenn D. Jones	Central Texas Tel CoOp	P.O. Box 627 Goldthwaite, TX 76844	915-938-5611	
Ralph Albright	Alltel	P.O. Box 650 Sugarland, TX 77478	281-490-9263	281-490-9499
Gary Glazier	Alltel	One Allied Drive Little Rock, AR 72203	501-661-5103	501-558-6102
Preston Warren	Alltel	One Allied Drive Little Rock, AR 72203	501-661-8377	501-558-6102

Name	Company	Address	Phone	Fax
Mike Humpert	Community Telephone	P.O. Box 130 Windthorst, TX 76387	817-423-6201	817-423-2111
Mike Smith	Central Texas Tel CoOp	P.O. Box 627 Goldthwaite, TX 76844	915-938-5611	
Tim Smoak	Oklahoma Corp Comm	Public Utilities Division P.O. Box 52000-2000 Oklahoma City, OK 73152-2000	405-522-3351	405-522-3371
Mark Lancaster	AT&T	1100 Walnut 6th Floor Kansas City, MO 64106	816-654-4383	816-654-2888
Marilyn Murdock	SWBT	500 E 8th St Kansas City, MO 64106	816-275-3990	816-275-0683
Lori Barry	AT&T	5501 LBJ Freeway Dallas, TX 75240	972-778-2538	972-778-2719
Maggie Lee	Illuminet	8500 W 110th St. Suite 600 Overland Park, KS 66210	913-344-6229	913-469-9229
Katy Trospek	TSTCI	3721 Executive Center Dr. #200 Austin, TX 78731	512-343-2544	512-343-0119
Ed Gonzales	AT&T	5501 LBJ Freeway Dallas, TX 75240	972-778-2958	972-778-2861
Rod Owens	SWBT - Dallas	One Bell Plaza Room 3360 Dallas, TX 75201	214-464-2800	214-464-4960
Fred Ford	GTE	MC TXD 1921 G 500 E Carpenter Freeway Irving, TX 75062	972-717-7791	972-717-0932
Suzanne Brooks	MCI	2250 Lakeside Blvd Richardson, TX 75082	972-918-1430	972-918-1499
Donna McLaughlin	SWBT	One Bell Center 8-G-07 St. Louis, MO 63101	314-235-9488	314-331-1199
John Shea	Lockheed/Martin	9 Beechnut Dr Long Valley, NJ 07853	908-852-7085	908-850-6329

Name	Company	Address	Phone	Fax
Don Casteel	SWBT - San Antonio	1010 N. St. Marys Room 1205 San Antonio, TX 78215	210-222-5490	210-222-7135
James Gideon	AT&T	5501 LBJ Freeway Dallas, TX 75240	972-778-2667	972-778-2681
Karen Kay	TWC	160 Inberness Drive West Englewood, CO 89112	303-705-1811	303-705-1814
Robert Carson	TCG	1301 Fannin Suite 1290 Houston, TX 77002	713-650-7921	713-210-7630
J. Ross Sherohman	911 HGAC	P.O. Box 22777 3555 Timmons Houston, TX 77227-2777	713-993-2486	713-993-4548
Stan Weeks	AT&T	5501 LBJ Freeway Dallas, TX 75240	972-778-2682	972-778-2681
Steve Wilt	Oklahoma Corp Comm	Public Utilities Division P.O. Box 52000-2000 Oklahoma City, OK 73152-2000	405-522-3350	405-522-3371

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the matter of	)	
	)	
Application of SBC Communications Inc.,	)	
Southwestern Bell Telephone Company,	)	CC Docket No. 97-121
and Southwestern Bell Communications	)	
Services, Inc., for Provision of In-Region,	)	
InterLATA Services in Oklahoma	)	

AFFIDAVIT OF WILLIAM R. DYSART

I, WILLIAM R. DYSART, being duly sworn, deposes and states as follows:

1. My name is William R. Dysart. My business address is One Bell Center, Room 15-X-3, St. Louis, Missouri 63101. I am Area Manager-Performance Measurements for Southwestern Bell Telephone Company ("SWBT"). In this position I am responsible for the development of a performance measurement system to ensure SWBT is meeting all contractual performance obligations with CLECs. I am also responsible for providing reports on performance and parity to state and federal regulatory entities, and to investigate complaints on parity of service.

EDUCATION AND PROFESSIONAL EXPERIENCE

2. I received a B.A. degree in 1978 from Central Methodist College in Fayette, Missouri. I have 19 years experience with SWBT. I have held numerous jobs in our Network Engineering, Network Operations and Customer Services organizations. I was selected by SWBT to receive extensive training in Statistical Process Improvement methods, and I am one of our company's internal Certified

Quality Consultants.

3. The purpose of my affidavit is to provide SWBT's reply to the opposition on the issue of Performance Measurements in conjunction with SWBT's application for in-region interLATA relief in Oklahoma.

PERFORMANCE MEASUREMENTS

4. This category addresses SWBT's position regarding the development of performance measurements and reporting schedules, and the deployment of such measurements as suggested by several CLECs and Michael J. Friduss on behalf of the Antitrust Division of the U.S. Department of Justice. AT&T Pfau Aff., MCI Agatston Aff. ¶ 9 & Friduss Aff.

5. SWBT is concerned about the DOJ's statement in the Evaluation of the U.S. Department of Justice page 60; "... SBC has not agreed to report its performance in several areas critical to CLEC competitive entry". First, as is described in detail below, SWBT already has developed and can report a number of performance measurements that address many of the issues raised by DOJ. Second, the Commission should be aware that, on a conference call in February of this year (with Department representatives Jonathan Lee and Stuart Kupinsky, DOJ consultant Chuck Hempfling, and SBC representatives Elizabeth Ham and Martin Grambow), SBC offered to meet with the DOJ and its consultants to discuss appropriate performance measurements. To date, the DOJ has not initiated a meeting, and SWBT's first notice of any interest by the DOJ with regard to the use of specific performance measurements was with the affidavit of DOJ consultant Michael Friduss.

6. AT&T's Affidavit of C. Michael Pfau presumes to address nondiscriminatory access to SWBT's Operational Support Systems (OSS) by AT&T. However, he addresses non-OSS performance issues, and suggests that the performance measurements that the Local Competition Users Group (LCUG) developed be imposed upon SWBT and presumably any other ILEC. AT&T Pfau Aff. ¶ 17. The LCUG's performance standards were unilaterally developed by the LCUG based on their experience in the long distance market which has no relevance to the local market nor parity in the provision of access to OSS. AT&T Pfau ¶ 38.

7. SWBT did not present a detailed discussion of performance standards recommended by the in the Oklahoma 271 application, since the performance standards recommended by the DOJ, Mr. Pfau and Mr. Friduss are not a required checklist item under the 1996 Act or FCC rules. Moreover, we have negotiated over a dozen interconnection agreements in Oklahoma and, as Mr. Friduss points out, performance measurements have not been a focus of any of these agreements. Friduss Aff. ¶ 49. This strongly suggests that performance measurements are not especially important to the CLECs. The Act contemplates that the parties to an interconnection agreement will negotiate needed terms and conditions. To the extent that a CLEC can not obtain a term or condition that the CLEC believes is important, the CLEC may request mediation or arbitration of the issue. Both AT&T and MCI chose to arbitrate multiple issues which they thought were important. The list of performance standards suggested by the DOJ and Mr. Friduss, Mr. Pfau and Mr. Agaston were either denied by the OCC or not raised as an issue to be arbitrated by the CLECs. The DOJ and FCC should not interfere

with the negotiation/arbitration process established by Congress by belatedly requiring OSS-related terms and conditions that are not specifically required by the Act. Similarly, the FCC is not authorized to deny SWBT's request for 271 relief on the grounds that the negotiated and arbitrated agreements do not contain one or more performance standards suggested by Mr. Friduss or the CLECs and which extend the competitive checklist.

8. AT&T as well as Mr. Friduss states that OSS response times are a required measurement to judge parity for pre-ordering. AT&T Pfau Aff. ¶ 20 & Friduss Aff. ¶ 61. As noted by the Affidavit of Elizabeth E. Ham, ¶ 20 - 25, SWBT provides all CLECs with a choice of three electronic interfaces for pre-ordering: Easy Access Sales Environment ("EASE"), Verigate, and DataGate. Ham Aff. ¶ 21. The access to these systems is gained via the Remote Access Facility ("RAF"). AT&T states that "parity requires that CLEC customer service representatives have the same access to information regarding appointment scheduling, service and feature availability, address verification, requests for phone numbers and customer service records that are available to SWBT's representatives". AT&T Pfau Aff. ¶ 20. EASE is the same on-line system that is used by SWBT's own retail service representatives in both business and residence. It will afford the CLECs precisely the same access to pre-ordering capabilities that SWBT offers to its retail service representatives. Ham Aff. ¶ 22. Therefore, SWBT's pre-ordering for OSS meets AT&T's definition of parity.

9. Two options exist for pre-ordering of unbundled network elements (UNE): Verigate and DataGate. Verigate is a SWBT graphical user interface that operates

with Windows™ and provides CLECs with access to the same pre-ordering functions available to SWBT retail operations through SWBT's "back office" systems. Ham Aff. ¶ 23. Verigate was designed for CLECs that do not want to use EASE or to pursue development of their own graphic user interface and are not ready to use DataGate. Response time from these "back office" systems will be the same for SWBT and the CLECs because these systems cannot distinguish which company is requesting a function.

10. DataGate is a SWBT gateway which provides an application electronic interface for those CLECs with their own graphical user interface. Ham Aff. ¶ 24. It provides CLECs with pre-ordering capabilities for resold services and UNEs. Sprint has been testing DataGate since the end of January 1997 and AT&T has been testing since March 13,1997. DataGate accesses the same "back-office" systems used by SWBT retail operations. Because these "back office" systems cannot distinguish which company is requesting a function, response time from these systems will be the same for SWBT and the CLECs.

11. AT&T as well as Mr. Friduss suggest a measurement of end-to-end response time. AT&T Pfau Aff. Attachment 1 & Friduss Aff. ¶ 61. Since the beginning and ending points of such transmissions occur at the CLEC premise, the measurement reflects response time from the end user perspective. Only a CLEC can measure the end-to-end response time of its own users.

12. Mr. Friduss lists three additional pre-ordering measurements that he feels need to be required to evaluate parity; Pre-Order OSS availability, pre-order Service Center availability and pre-order BOC Service Center Response. Friduss Aff. ¶

61.

13. SWBT will provide the same availability to OSS as SWBT provides itself because the CLECs use the same systems. Any unscheduled downtime will be the same for both the CLEC and SWBT.

14. The Local Service Provider Service Center ("LSPSC") will provide the CLEC with pre-order service center availability. Ham Aff. ¶ 15 & Lowrance Aff. ¶ 10.

15. The pre-order service center response time is included in the Sprint interconnection agreement in Oklahoma as well as AT&T's interconnection agreement in Texas. SWBT will provide to the CLECs the average speed of answer of the LSPSC as compared to the SWBT service order centers.

16. SWBT has agreed to provide to the CLECs the percentage of missed appointments for POTS and percentage of missed due dates for Special Services. These measurements are a percentage of service orders where SWBT did not meet the appointment (POTS) or due date (Special Services). The percent of missed appointments provide the CLECs with the ability to ensure that SWBT is providing parity service in regards to meeting customer commitments. SWBT does not report "order completion intervals". AT&T Pfau Aff. ¶ 21 & Friduss Aff. ¶ 63. Order completion interval is a measurement, which can be manipulated by the CLECs by requesting longer installation intervals than normal in order to give the appearance of lack of parity.

17. AT&T and Mr. Friduss state that a measurement of order accuracy is also required to determine parity for ordering and provisioning. AT&T Pfau Aff. ¶ 22 & Friduss Aff. ¶ 62. An alternative measurement is "installation reports within 10

days (I10)" for POTS or "installation reports within 30 days (I30)" for Special Services. These measurements are the percentage of service orders that after closure generate a customer report within 10 days for POTS and 30 days for Special Circuits. SWBT does not directly measure order accuracy. An incorrect order that has been installed will in most cases result in a trouble report. This will be reflected in either the I10 rate or the I30 rate depending on the service. This measurement is clearly more indicative of parity since it used by ILECs and measures the direct impact on the end user. SWBT has agreed to provide the CLECs with this measurement.

18. The ability to obtain order status as quickly as a SWBT representative is a concern expressed by AT&T. AT&T Pfau Aff. ¶ 23. SWBT has made available to all CLECs an electronic interface to check on the status of pending orders that have been entered and accepted for processing. Order Status is a feature of the SWBT Toolbar (formerly known as Customer Network Administration), which is a SWBT developed system that is available to CLECs today for checking the status of service orders, or to verify that a service order is completed. Ham Aff. ¶ 34. Toolbar is currently used by SWBT retail customers and interexchange carriers and provides the CLECs equivalent access to the same "back office" systems that SWBT representatives access to check the status of service orders. As with pre-ordering, SWBT cannot provide the CLEC with end-to-end response time measurements. Again, only a CLEC can measure the end-to-end response of its own end users.

19. Mr. Friduss lists two additional ordering performance measurements required to

judge parity; firm order response time and flow-through. Friduss Aff. ¶ 62.

20. Firm order response time is an adequacy measurement as defined by Mr. Friduss and was negotiated in the Sprint interconnection agreement. Therefore, no comparative measurement is required.

21. Flow through is a measurement of an internal SWBT process. SWBT ordering systems do not differentiate between SWBT or CLEC customers. This measurement is not required to determine parity service since in all likelihood it will not impact the CLEC's customer's service. If flow through causes a problem, other measurements, such as % missed due dates, will be impacted.

22. Additional provisioning measurements (mean installation interval, held orders, completed order accuracy and 911 database update speed and accuracy) were listed as requirements by Mr. Friduss to assess parity. Friduss Aff. ¶ 63.

23. SWBT will provide the measurement "Mean Installation Interval" as defined by Mr. Friduss in ¶ 63 of his affidavit if requested by the CLEC.

24. SWBT will provide the held order measurement as defined by Mr. Friduss in ¶ 63 if requested by the CLEC. Additional definition will be required by the CLEC at the time of request.

25. SWBT does not measure completed order accuracy for itself. This measurement should be determined by the CLEC. If completed order accuracy is a problem, it will be reflected in the % installation reports within 10 days, which SWBT has agreed to provide as noted in ¶ 17.

26. The process for updating the 911 database for resale is the same for the CLECs as for SWBT. The updates are automatically initiated via a CRIS order upon

completion. This process is identical for CLECs and SWBT. For UNEs once the order has been completed, a CRIS order is manually entered by the LSPSC into the system and the flow is the same as for SWBT and CLEC resale. SWBT has no plans at this time to measure response time on manual processes.

27. "Percent of held orders" as defined by AT&T corresponds to SWBT's measurements of percentage missed appointments for POTS and percentage missed due dates for Special Services. AT&T Pfau ¶ 24. As stated in ¶ 16 above, SWBT has agreed to provide these measurements for both SWBT and CLECs.

28. AT&T implies that SWBT has not agreed to maintenance and repair measurements. AT&T Pfau Aff. ¶ 25. SWBT has agreed to provide the maintenance performance measurements; trouble report rate, repeat reports, mean time to repair, out of service over 24 hours and Local Service Provider Center ("LSPC") speed of answer. Friduss Aff. ¶64

29. The measurement "restoral intervals" requested by AT&T is not a measurement that would be helpful when assessing parity. AT&T Pfau Aff. ¶ 26. If the CLECs have a disproportionate number of long duration troubles, the impact will be seen in the average receipt-to-clear and mean time to restore duration measures. Using these duration measurements, which SWBT has agreed to provide, the CLECs will be able to determine if a parity problem exists.

30. AT&T's definition of "estimated time to restore" corresponds to SWBT's percentage of missed commitments. AT&T Pfau Aff. ¶ 28. This measure tracks the percentage of total reports for which SWBT missed a commitment. SWBT

has already agreed to provide this measurement.

31. SWBT provides the CLECs access to the same network databases used by SWBT to provide its retail services. Deere Aff. ¶ 75 and 81 - 109. The network quality measurements discussed by Mr. Friduss in ¶ 65 in most cases cannot be provided on a CLEC specific basis. Since the same network and databases are used to provide service to SWBT and the CLEC, SWBT will provide such measurements on a total network basis.

32. All providers are served by the same network and will be equally effected by a network event. SWBT has every incentive to prevent network failures because SWBT will be disproportionately effected by a network outage. SWBT will provide the CLECs with a report on major network events on a combined basis.

33. SWBT and the CLECs share the SS7 Links and Database systems. The built-in redundancy of the SS7 network allows for the loss of a link without effecting service. If a major service failure does occur, it will have a larger impact on SWBT than the CLECs. There is no practical reason to provide parity measurements when dealing with shared systems or facilities.

34. Post dial tone delay and blocked call attempts are measurements based on shared facilities. These service indicators are measured on a wire center basis. All providers served in the same wire center will be equally effected by a condition which adversely effects dial tone delay or blocked call attempts. Therefore, SWBT will not provide any parity measurements.

35. There is no need to compare transmission levels for SWBT and CLEC customers. If there is a transmission problem detectable by the customer, in all likelihood a

trouble report would be issued. This would be reflected in the report rate per 100 lines.

36. SWBT provides CLECs with a choice of four options for obtaining electronic access to billing information: Bill Plus™, EDI, Customer Network Administration (CNA), and Usage Extract Feed. Ham Aff. ¶ 40. SWBT and each CLEC negotiate the access option, timeliness of delivery and accuracy of billing record requirements. There is no need for a comparison of measurements to determine parity. If the service provided by SWBT meets the agreed upon requirements then the customer has been served and parity achieved.

37. SWBT will provide separate performance measurements for UNE and resale as discussed by Mr. Friduss. Friduss Aff. ¶ 69. MCI states that the intervals for unbundled loops are too long and do not represent parity service with that offered by SWBT. MCI Agaston Aff. ¶ 24. Parity measurements are not applicable for UNEs because SWBT provides services and not UNEs to its customers. In the words used by Mr. Friduss this would be an "apples-to-oranges" comparison. Friduss Aff. ¶ 29. There can be no measurement to ensure parity where SWBT does not provide its own customers with an equivalent offering.

38. SWBT agrees with Mr. Friduss that the measurements discussed in the application as reported today are not sufficient to judge parity. Friduss Aff. ¶ 47. Where SWBT has agreed to a measurement, SWBT will provide separate data for retail versus wholesale.

39. SWBT agrees with Mr. Friduss that operational definitions of UNE loop provisioning intervals and INP provisioning intervals need to be agreed upon by

both the CLEC and SWBT. Friduss Aff ¶ 51. SWBT will negotiate with the CLEC to define the appropriate start and stop time for such intervals.

40. Mr. Friduss suggests that a key to determining market parity would be to provide the measurements agreed to in the FCC First Report and Order and Further Notice of Proposed Rulemaking more frequently than monthly and on a geographic and class of service basis. Friduss Aff. ¶ 58. SWBT believes that monthly data is sufficient to judge parity. We would agree that reporting at a geographic level such as State would be more appropriate than on a company basis. SWBT would agree to provide measurements broken down at a class of service level if we measure at that level.

41. The average speed of answer for toll and directory assistance will be the same for the CLECs and SWBT since the same operators will handle all customers. Therefore, a comparative measurement is not required since parity is assured by the way the calls are handled.

42. The method of transmittal of data is not a performance measurement issue. SWBT will negotiate this with the CLEC at their request. SWBT will provide results for the individual CLEC, all other CLECs combined and SWBT retail.

CONCLUSION

43. SWBT is committed to providing measurements that will ensure that parity is maintained, and is in general agreement with many of the measurements proposed by Mr. Friduss. SWBT will report to the State Commissions the required Quality

of Service Measurements (Attachment A)[1] . These State measurements and any additional measurements that have been negotiated will also be reported to the CLECs. Several of the measurements AT&T suggests have been arbitrated and ruled to be unnecessary. Cause No. PUD 960000218 page 8. AT&T is trying to win what has been lost in arbitration. The Act does not contemplate such interference with negotiated or arbitrated agreements.

44. The performance measurements that should most concern the CLECs are: 1) whether the service was delivered when it was promised, and 2) was it correct. SWBT has agreed to provide the meaningful performance measurements that have a direct impact on customer service. These are the measures where parity should be of the greatest concern. SWBT had indicated its willingness to work with the Federal Communications Commission and the state regulatory commissions to develop meaningful measurements of parity if they become necessary.

45. In the final analysis, CLECs are free to negotiate additional performance measurements they may feel are appropriate. SWBT will entertain any reasonable proposal for performance measurements that a CLEC is willing to pay for. However, the determination of appropriate performance measurements is best left to negotiation between the parties, rather than a "one size fits all" solution through regulation.

[1] Attachment A contains examples of reports submitted to the appropriate commissions for Arkansas, Kansas, Missouri, and Texas. The Oklahoma commission does not require a regular report, but at their

The foregoing affidavit is true and correct to the best of my knowledge, information, and belief.

William R Dysart

WILLIAM R. DYSART
AREA MANAGER - PERFORMANCE MEASUREMENTS
SOUTHWESTERN BELL TELEPHONE COMPANY

STATE OF MISSOURI)
) ss.
CITY OF ST. LOUIS)

Subscribed and sworn before me, the undersigned authority, on this 20th day of MAY, 1997.

NOTARY PUBLIC NOTARY LINDA BUTCHART SEAL STATE OF MISSOURI

Linda Butchart

NOTARY PUBLIC
LINDA BUTCHART
NOTARY PUBLIC STATE OF MISSOURI
ST LOUIS COUNTY
MY COMMISSION EXP NOV 19,1998

My commission expires on:
11-19-98

ATTACHMENT A

Arkansas, Kansas, Texas, and Missouri Commission Requirements

ARKANSAS

APSC SERVICE PERFORMANCE REPORT SR-T 3.01 4.01 4.06

222
MC GEHEE
AXE
10R5.2

[redacted]

ACCESS LINES

TOTAL TROUBLE RPTS

NON-REGULATED

EXCLUDED

MEASURABLE RPTS

TROUBLE INDEX

TOTAL OOS REPORTS

NON-REGULATED

EXCLUDED

MEASURABLE RPTS

RESTORED 24 HOURS

PERCENT

TOTAL APPLICATIONS

W/I 5 DAYS

PERCENT

TOTAL APPLICATIONS

W/I 30 DAYS

PERCENT

KANSAS

Quality of Service Plan

Indicator	Benchmark	Threshold	Action
Customer Trouble Reports (CTRs) .. *Number of trouble conditions reported to the Service Provider's trouble reporting center. See A-1*	6 CTRs/100 Access Lines, or less, for LECs serving more than 10,000 Access Lines.	Failing Benchmark for 2 consecutive months = a 'Jeopardy' condition.	Company to submit a correcting action plan with monthly report.
	8 CTRs/100 Access Lines, or less, for LECs serving between 1,000 and 10,000 Access Lines.	Failing Benchmark for 4 out of 6 rolling months = a 'noncompliance' condition.	Staff recommendation to the Commission for imposition of a penalty fine, in accordance with Sec.3, (l) of Ks. Telecom. legislation (HB 2728).
	10 CTRs/100 Access Lines, or less, for LECs serving less than 1,000 Access Lines.		
% Repeat Trouble Reports (RTRs). .. *Repeat reports of trouble on an access line during the previous 10 days, as a % of monthly total CTRs. See A-2*	20%, or less, of repeat reports.	Failing Benchmark for 2 consecutive months = a 'Jeopardy' condition.	Company to submit a correcting action plan with monthly report.
		Failing Benchmark for 4 out of 6 rolling months = a 'noncompliance' condition.	Staff recommendation to the Commission for imposition of a penalty fine, in accordance with Sec.3, (l) of Ks. Telecom. legislation (HB 2728).